

EXHIBIT 1

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RODNEY DES JARDINS,
Plaintiff,

Case No. 2:19-cv-00252

Hon. Paul L. Maloney

-vs-

COMMUNITY ACTION ALGER-
MARQUETTE,
Defendant.

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The Deposition of RODNEY DES JARDINS,
Taken via Veritext Remote
Commencing at 10:07 a.m.
Thursday, November 5, 2020
Before Ravin Neal, CSR-8420

Court reporter, attorneys &
witness appearing remotely.

1 lot better than the original offer?

2 A Yes.

3 Q Am I right that you started to work for CAAM on
4 November 10, 2014?

5 A I believe that's correct, yes.

6 Q Okay. And if my math is right, were you about 55
7 years old at that time?

8 A Yes.

9 Q How old was Amy Lerlie?

10 A I believe she was 45.

11 Q And how old was Earl Hawn?

12 A I don't recall.

13 Q When you were --

14 A I never asked him.

15 Q -- hired -- when you were hired, were you provided
16 information about CAAM's policies?

17 A Yes, I was.

18 Q Did you receive a handbook of some kind?

19 A I had access to a handbook online, yes.

20 Q Okay.

21 A Electronic version.

22 Q Okay. And did you go look at it?

23 A I am sorry? You broke up there, Megan. I didn't
24 hear the question.

25 Q Did you -- did you go look at the handbook?

1 Q Okay. How many times?

2 A Once.

3 Q And was the one time that you actually reported it
4 the time that -- that you ended up making a
5 complaint to the board, or was there a different
6 time?

7 A It was the episode with Stacia Lynn. I was doing
8 her annual performance evaluation, which required
9 her to write a self-evaluation. And she wrote a
10 self-evaluation and told me in that self-evaluation
11 that she felt she was being harassed and
12 discriminated against.

13 And I said, "If you give me this, I have
14 to take certain documents -- I have to take certain
15 actions. Are you sure you want to do this?"

16 And she said no, and she yanked it back
17 from me, and tore it up and stuck it in her pocket.

18 Q Did you -- did you understand that an employee
19 might use words like harassment to talk about
20 behavior that is not against the law. It might
21 just be a not-nice boss, for example?

22 A That is why we had that conversation. I told her,
23 "If you use the word harassment and discrimination,
24 they have very specific meanings and I have to take
25 very specific actions. Do you want to use these

1 couldn't do it.

2 Q So procedurally, this wasn't working well for you?

3 A It had for a year, but then it proceeded to get
4 worse as the antagonism that Amy displayed towards
5 Stacia increased.

6 Q And do you know why Amy Lerlie had that antagonism
7 towards Stacia Lynn?

8 A I did at the end. At the time, I did not.

9 Q Okay. When -- when did you learn what caused that?

10 A I -- I can -- I can say October 6th of 2017, when
11 Stacia came to my office two weeks after I gave her
12 the chance to take herself-evaluation back, and
13 then she told me that she had been the victim of
14 sexual harassment.

15 Q So I thought, but I may have heard wrong -- I
16 thought that when Stacia Lynn first told you about
17 harassment, she did not say anything about sexual?

18 A She did not.

19 Q And -- and what she was complaining to you about
20 was not sexual, and you said, "But if you say
21 harassment, I have some duties here."

22 A Yes. Harassment or discrimination, but she did not
23 mention sexual harassment.

24 Q When did you learn she was complaining of sexual
25 harassment?

1 A On October 6th of that year.

2 Q Okay. And what -- how did you learn that?

3 A She came to my office and asked me if I could take
4 a walk with her around the block because she had
5 some things to tell me, and she told me that she
6 had been the victim of sexual harassment when she
7 first became employed. She told me that she had
8 filed an EEOC complaint, and she told me that she
9 had retained counsel to represent her, and she told
10 me that she was going to take family medical leave.

11 Q But when she told you all of this, this is after
12 you had seen a progressive deterioration of the
13 relationship; is that right?

14 A Yes.

15 Q And do you know if she ever complained to anybody
16 before she told you this?

17 A I believe she complained to the HR director at the
18 time. The HR director and I had a conversation
19 with her.

20 Q So at the same -- so she -- the HR director learned
21 at the same time?

22 A About the EEOC complaint? No.

23 Q Yes.

24 A I assume she learned immediately that day because
25 she filed the complaint that day.

1 Q Okay. Other than the conversation where Amy Lerlie
2 shared it with you all, did you discuss this with
3 Amy Lerlie at any other time?

4 A Not that I recall, no.

5 Q Do you know who wrote this?

6 A I do not.

7 Q If you turn to the next page, the next page is
8 dated November 15, 2017.

9 But let me back up. Do you know what
10 date the anonymous complaint was made?

11 A Before November 15th.

12 Q If I -- if I said that the board received it on
13 November 10, 2017, does that sound about right to
14 you?

15 A Yeah. I would believe that, yes.

16 Q Okay. So then on November 15, you sent an email to
17 the entire board; is that right?

18 A I did.

19 Q And if you look at the second page of -- of this
20 email, it looks like just before sending an email
21 to the board, you sent an email to Lucy Grove; is
22 that right?

23 A That's correct.

24 Q So, first, at 7:34 in the evening, you sent an
25 email to Lucy Grove entitled "Hostile work

1 environment complaint," and you said that you were
2 making a formal complaint against Amy Lerlie about
3 the hostile work environment; is that right?

4 A Yes.

5 Q And one of the incidents that you cited had to do
6 with Amy Lerlie accusing you of having an affair
7 with Stacia Lynn; is that right?

8 A That's correct.

9 Q But then you also mentioned there has been a lot of
10 harassment and unspecified threats and that -- that
11 Amy Lerlie had used against the staff, you and --
12 and the rest of the staff, and it had to stop,
13 correct?

14 A I -- I wrote that, yes.

15 Q Yep.

16 And then you told her you were going to
17 tell the board; is that right?

18 A I believe so.

19 Q And you sent the -- the email that is dated
20 November 15 at 9:07 p.m.; is that right?

21 A Yes.

22 Q And so what you said is, you -- sort of your first
23 issue, if you will, is that if there's a problem
24 with the executive director, there was no avenue to
25 complain. That's what we talked about earlier; is

1 that right?

2 A Correct.

3 Q So -- and then you said she was abusing her
4 authority because nobody could do anything about
5 it, right?

6 A Correct.

7 Q And then you said "Twenty or thirty staff members
8 are ready to file a complaint today."

9 How many staff members did CAAM have?

10 A 140.

11 Q Okay. These 20 or 30, were they all in Marquette?

12 A As far as I know.

13 Q Okay. And did they include your fellow directors?

14 A I don't know.

15 Q Okay. How do you know that 20 or 30 were ready to
16 do this?

17 A I -- it was a -- a hyperbolic guess. Between
18 October and November -- that's okay.

19 Between October and November, that's all
20 anybody talked about at the agency, and they got
21 very bold about the stories they told each other.

22 Q And you -- you said that the board needed to
23 initiate an investigation into a hostile work
24 environment, abuse of authority, harassment, sexual
25 harassment, and there were a lot of complaints

1 coming, correct?

2 A Yes.

3 Q And that Amy Lerlie was a pathological liar; is
4 that right?

5 A Yes.

6 Q And she would go after anybody who was contrary to
7 her in any way?

8 A Yes.

9 Q When you wrote this, you were in the hospital; is
10 that right?

11 A Correct.

12 Q And you were about to have emergency heart surgery;
13 is that right?

14 A Correct.

15 Q When did you first have any kind of heart problem?

16 A I would guess within three days of the 14th of
17 November. In retrospect, I think I had what they
18 describe as TIAs. I believe I had three in the
19 three or four days before I was hospitalized.

20 Q What caused -- what -- can you tell me what a TIA
21 is?

22 A It's a -- it's a mini heart attack. I don't know
23 the exact medical term, but that's how they
24 referred to it.

25 Q Had you ever had heart problems before this?

1 A No.

2 Q Had you ever been checked out for any heart
3 problems before this?

4 A No.

5 Q So it's possible that this just came on at the
6 time. It's also possible that you had issues that
7 you just didn't realize you had; is that correct?

8 A I am not a doctor.

9 Q Fair enough.

10 So you -- you obviously were sick enough
11 to land in the hospital, and you felt strongly
12 enough about this to write this letter.

13 If you would then turn the page, there's
14 a third letter, or a third set of emails dated
15 November 17. Do you see those?

16 A Yes.

17 Q Lucy Grove acknowledged receipt of your complaint.
18 She said that the executive committee had directed
19 an investigation be conducted. You'd be told who
20 was handling the investigation, but meanwhile, take
21 care of your health; is that right?

22 A Yes.

23 Q And you expressed concern about the investigator
24 and made it clear you didn't think it could be
25 Lucy Grove because she served at the -- at the

1 pleasure of the executive director; is that right?

2 A That is correct.

3 Q And then if you go to the last page, this is a
4 separate -- a separate complaint; is that right?

5 Or it looks -- no. It looks to me like it's
6 just -- it's just the same as the one we already
7 saw attached to a different email; is that right?

8 A There's some back and forth there.

9 Q Yep.

10 Prior to November 15, 2017, did you ever
11 complain to anybody at CAAM about a hostile work
12 environment or harassment or sexual harassment?

13 A Did I ever complain?

14 Q Yes.

15 A I had discussed it with the HR manager.

16 Q When did you first do that?

17 A I'd say early October when Stacia Lynn put it on
18 the front burner. I discussed it with Lucy Grove
19 that day. She confided that she had heard other
20 complaints.

21 Q Did she tell you what kinds of complaints?

22 A No.

23 Q So you don't know if they were sexual harassment
24 complaints or just the other kinds of behavior that
25 we've been talking about with -- with Amy Lerlie;

1 Q Why do you say that Michelle LaJoie was holding you
2 to a different standard than the other two program
3 directors?

4 A She let the other program directors direct their
5 staff. She let the other program directors manage
6 their budgets. She let the other program directors
7 set their own personal schedules, and she
8 restricted me from all -- from doing all of those
9 things.

10 Q What was Michelle LaJoie's previous position?

11 A As a housing director at Chippewa-Luce-Mackinaw
12 Community Action Agency.

13 Q In other words, she did what you do, right?

14 A She did it on a much smaller scale.

15 Q Sure.

16 But housing is her thing, right?

17 A She was -- she was an experienced housing director.

18 Q Right.

19 So isn't it understandable that somebody
20 whose thing is housing is going to take a different
21 interest in what you are doing in her job than she
22 might take in the other program directors?

23 A It was assumed, yes.

24 Q Right.

25 She -- because you are talking her